

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JUDGE SCHEINDLIN

MALIBU TEXTILES, INC.,

Plaintiff,

v.

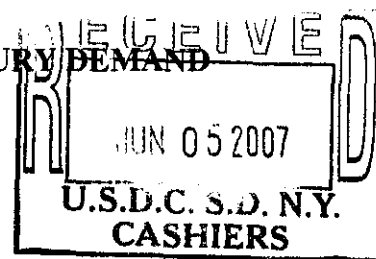
CAROL ANDERSON, INC. and
CABI, LLC,

Defendants.

Docket No.

07 CIV 4780

COMPLAINT AND JURY DEMAND



Plaintiff Malibu Textiles, Inc. ("Malibu"), by its attorneys Cowan, DeBaets, Abrahams, & Sheppard, LLP, as and for its complaint against defendants Carol Anderson, Inc. ("CAI") and CABI, LLC ("CABI") (collectively, "Defendants"), alleges as follows:

INTRODUCTION

1. This is an action for copyright infringement arising out of Defendants' willful infringement of two copyrighted lace designs owned and registered by Malibu.

2. As described below, on three separate occasions in 2005 and 2006, Defendants' representatives and/or agents met with Malibu's representative under the auspices of entering into a contract to purchase and/or license lace designs to incorporate into Defendants' clothing line. While Malibu showed Defendants' representatives numerous designs, including the lace designs at issue in this case, a contract was never consummated. Malibu has learned that Defendants are offering no less than four garments for sale that incorporate Malibu's copyrighted lace designs or contain lace designs that are virtually identical copies of Malibu's copyrighted lace designs.

3. Accordingly, Malibu seeks injunctive and monetary relief for copyright infringement under the Copyright Act of the United States, as amended, 17 U.S.C. § 101 *et seq.*

JURISDICTION AND VENUE

4. This Court has subject matter jurisdiction over this action pursuant to 17 U.S.C. § 501 (b) and 28 U.S.C. §§ 1331 and 1338(a).

5. This Court has personal jurisdiction over Defendants pursuant to New York CPLR § 302 *et seq.* in that Defendants, upon information and belief, were and are doing business in the State of New York and in this District.

6. Venue is proper within this District pursuant to 28 U.S.C. §§ 1391 and 1400.

PARTIES

7. Malibu is a corporation duly organized and existing under the laws of the State of New York with its principal place of business at 49 West 37th Street, New York, New York 10018.

8. Upon information and belief, CAI is a corporation duly organized and existing under the laws of the state of Washington and registered in the State of California with its principal place of business at 18915 Laurel Park Road, Rancho Dominguez, California 90220.

9. Upon information and belief, CABI is a limited liability company duly organized and existing under the laws of the state of California with its principal place of business at 18915 Laurel Park Road, Rancho Dominguez, California 90220.

10. Upon information and belief, Defendants operate a direct sales company offering custom-designed women's apparel. Upon information and belief, Defendants offer women's apparel via the Internet via through its website <http://www.cabionline.com/> and through sales representatives employed by Defendants, known as "Independent Sales

Consultants,” who are located throughout the United States including within the State of New York and this District.

11. Upon information and belief, women’s apparel sold by Defendants, including apparel that infringes upon Malibu’s copyrighted lace designs, has come into the stream of commerce within the State of New York and specifically within this District.

12. Upon information and belief, Defendants transact business within this District, derive substantial revenue from intrastate and interstate commerce, and have committed tortious acts within and outside of this District having injurious consequences to Malibu.

FACTS

13. Malibu is, and has been, prominent in the design and sale of knit fabrics for over 25 years and has earned a reputation in the trade for its original and distinctive fabric and lace designs.

14. Malibu’s fabric and lace designs have been and are being sold by Malibu throughout the United States and within this District.

15. Malibu holds the copyright in an original lace design pattern, created in or around July 2000, known as Pattern #2120, formerly pattern #1967 (the “1967/2120 Pattern”). A photocopy of the 1967/2120 Pattern is attached hereto as Exhibit A.

16. Malibu registered the 1967/2120 Pattern with the United States Copyright Office under Registration No. VA 1-159-155, effective August 26, 2002. A copy of the registration certificate for the 1967/2120 Pattern is attached hereto as Exhibit B.

17. Malibu holds the copyright in an original lace design pattern, created in or around November 2002, known as Pattern #2479, formerly pattern #2351 and Sketch #1088 (the “2479/2351 Pattern”). A photocopy of the 2479/2351 Pattern is attached hereto as Exhibit C.

18. Malibu registered the 2479/2351 Pattern with the United States Copyright Office under Registration No. VA 1-373-475, effective August 31, 2006. A copy of the registration certificate for the 2479/2351 Pattern is attached hereto as Exhibit D.

19. In or around February 2005, Defendants' representatives and/or agents met with Malibu's representative to sample Malibu's fabric and lace designs under the auspices of negotiating a contract to either purchase and/or license lace patterns to incorporate into their clothing line. Among the textile and lace patterns shown to Defendants' representatives and/or agents were the 2479/2351 Pattern and the 1967/2120 Pattern (hereinafter, the 2479/2351 Pattern and the 1967/2120 Pattern will collectively be referred to as "Malibu's Copyrighted Lace Designs").

20. Again, in July and August 2006, Defendants' representatives and/or agents met with Malibu's representative to sample lace designs under the auspices of negotiating a contract to either purchase and/or license lace patterns to incorporate into Defendants' clothing line. Among the textile and lace patterns shown to Defendants' representatives and/or agents were Malibu's Copyrighted Lace Designs.

21. No contract was ever consummated between Defendants and Malibu, nor did Malibu ever give Defendants consent or authorization to use Malibu's Copyrighted Lace Designs.

22. Upon information and belief, after seeing Malibu's Copyrighted Lace Designs, Defendants manufactured, imported, distributed, promoted, advertised, offered for sale, sold, and/or caused to be manufactured, imported, distributed, promoted, advertised, offered for sale, and/or sold in this District and elsewhere in the United States, garments incorporating lace patterns which infringe Malibu's Copyrighted Lace Designs.

23. Specifically, Defendants are offering for sale a Lace Top, style number 427, which infringes upon the 2479/2351 Pattern. A photocopy of the infringing garment purchased from Defendants is attached hereto as Exhibit E.

24. Further, Defendants are offering three garments on Defendant's website that infringe upon Malibu's copyrighted 1967/2120 Pattern:

- a. Lace Tunic, style number 488. Screenshots from Defendants' website, <http://www.cabionline.com>, showing the infringing garment are attached hereto as Exhibit F.
- b. Lace Top, style number 490. Screenshots from Defendants' website, <http://www.cabionline.com>, showing the infringing garment are attached hereto as Exhibit G.
- c. Lace Tank, style number 601. Screenshots from Defendants' website, <http://www.cabionline.com>, showing the infringing garment are attached hereto as Exhibit H. (each of the foregoing garments including the Lace Top, style number 427, will collectively be referred to as the "Infringing Garments").

25. On January 29, 2007, counsel for Malibu sent CAI a cease and desist letter demanding *inter alia* that CAI immediately cease and desist from further selling, offering for sale, advertising, promoting, distributing Infringing Garments or making any other use of the 2479/2351 Pattern. Upon learning that Defendants were selling other products that infringed upon Malibu's Copyrighted Lace Designs, counsel for Malibu sent CAI another cease and desist letter on March 29, 2007 again demanding *inter alia* that CAI immediately cease and desist from

further selling, offering for sale, advertising, promoting, distributing Infringing Garments or making any other use of Malibu's Copyrighted Lace Designs.

26. To date, Defendants have not complied with the cease and desist letters and continue to offer and advertise Infringing Garments on Defendants' website.

COUNT ONE
(Copyright Infringement)

27. Malibu incorporates by reference each and every allegation contained in paragraphs 1 through 26 above.

28. Defendants' acts described above constitute infringement of Malibu's registered copyrights and exclusive rights under copyright in violation of 17 U.S.C. §§ 106 and 501.

29. Upon information and belief, Defendants, having full knowledge of Malibu's rights as alleged herein, infringed Malibu's Copyrighted Lace Designs by manufacturing, importing, distributing, offering for sale, selling, promoting and/or advertising without Malibu's consent, Infringing Garments incorporating Malibu's Copyrighted Lace Designs.

30. The foregoing acts of infringement by Defendants have been willful, intentional, purposeful, and in disregard of and with indifference to the rights of Malibu.

31. Malibu is therefore entitled to the maximum statutory damages, pursuant to 17 U.S.C. § 504(c), in the amount of \$150,000 with respect to each work infringed, or such other amounts as may be proper under 17 U.S.C. § 504(c).

32. Malibu further is entitled to its attorneys' fees and full costs pursuant to 17 U.S.C. § 505.

33. Moreover, Defendants' conduct, described above, is causing, and unless enjoined and restrained by this Court, will continue to cause Malibu irreparable injury that cannot be fully compensated by, or measured in, money damages. Malibu has no adequate remedy at law. Accordingly, pursuant to 17 U.S.C. § 502, Malibu is entitled to a preliminary and permanent injunction prohibiting further infringement of Malibu's copyrights and exclusive rights under copyright.

WHEREFORE, Malibu prays that this Court:

A. Preliminarily and permanently enjoin Defendants, their officers, directors, principals, representatives, agents, servants, employees, successors and assigns, and all persons acting in concert or participation with each or any of them, or for them, from:

- (a) copying, or making any unauthorized use of Malibu's Copyrighted Lace Designs, in any form;
- (b) importing, manufacturing, producing, distributing, circulating, selling, offering for sale, advertising, promoting or displaying any promotional material bearing any simulation, reproduction, counterfeit, or copy of Malibu's Copyrighted Lace Designs, or by causing and/or participating in such importation, manufacturing, producing, distributing, circulating, selling, offering for sale, advertising, promoting or displaying any such items;

B. Direct Defendants to deliver for destruction all products in their possession, custody and control that infringe upon Malibu's Copyrighted Lace Designs;

C. Direct Defendants to account for and relinquish to Malibu all gains, profits, and advantages derived by Defendants through Defendants' infringement of Malibu's copyrights.

D. Direct Defendants to pay to Malibu such damages, including statutory damages of up to \$150,000 per infringing work, as Malibu is entitled to as a consequence of Defendants' willful infringement of Malibu's copyrights in Malibu's Copyrighted Lace Designs.

E. Award Malibu the costs of this action together with reasonable attorneys' fees.

F. Award Malibu prejudgment interest on the amount of the award to Malibu, and;

G. Award Malibu such other and further relief as the Court may deem just and proper.

DEMAND FOR JURY TRIAL

Pursuant to Rule 38(b) of the Federal Rules of Civil Procedure, Malibu hereby demands trial by jury as to all claims in this litigation.

Dated: New York, New York
June 5, 2007

Respectfully Submitted,

COWAN, DEBAETS, ABRAHAMS, &
SHEPPARD, LLP

By: Nancy E. Wolff
Nancy E. Wolff (NW 7805)
Matthew A. Kaplan (MK 5669)
41 Madison Avenue, 34th Floor
New York, New York 10010
(212) 974-7474

Attorneys for Plaintiff Malibu Textiles, Inc.

EXHIBIT A

STYLE No.: 2120 COLOR: Black YARDS: Floral Galloon Stretch Lace DESCRIPTION: 70%Stretch Nylon/30%Rayon

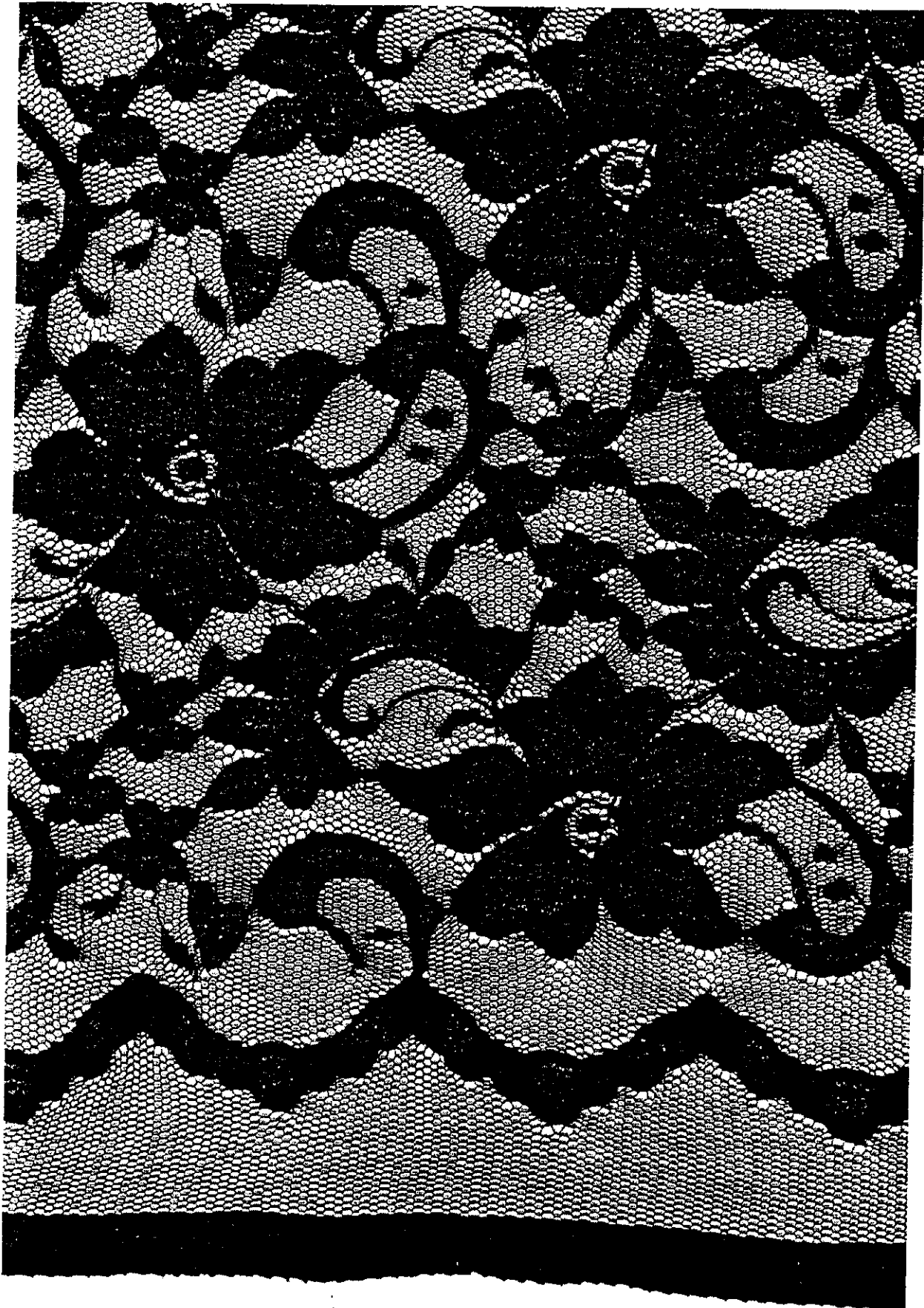


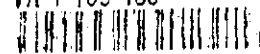
EXHIBIT B

CERTIFICATE OF REGISTRATION

FORM VA

For a Work of the Visual Arts
UNITED STATES COPYRIGHT OFFICE

VA 1-159-155



EFFECTIVE DATE OF REGISTRATION

AUG 26 2002

Margaret Peters

REGISTERED DESIGNER

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

1

TITLE OF THIS WORK ▼

Pattern # 1967

NATURE OF THIS WORK ▼

FABRIC DESIGN

PREVIOUS OR ALTERNATIVE TITLES ▼

PUBLICATION AS A CONTRIBUTION If this work was published as a contribution to a periodical, serial, or collection, give information about its publication work in which the contribution appeared. Title of collection ▼

If published in a periodical or serial give: Volume ▼

Number ▼

Issue Date ▼

On Pages ▼

2

a

NAME OF AUTHOR ▼

VALIBU TEXTILES, INC.

DATES OF BIRTH AND DEATH
Year Born ▼ Year Died ▼

Was this contribution to the work a

"work made for hire"?

☒ Yes
☐ No

AUTHOR'S NATIONALITY OR DOMICILE

Name of Country

OR { Citizen of ▼

USA

OR { Domiciled in ▼

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK

Anonymous? ☐ Yes ☒ NoPseudonymous? ☐ Yes ☒ No

If the answer to either of these questions is "Yes," see detailed instructions.

NOTE

Under the law, the author of a "work made for hire" is generally the employer, not the employee (see instructions) for any part of this work that was "made for hire." Check "Yes" in the space provided, give the employer's name, address, and date of birth and death date.

NATURE OF AUTHORSHIP Check appropriate box(es) See Instructions

☐ 3-Dimensional sculpture☐ Map☐ Technical drawing☐ 2-Dimensional artwork☐ Photograph☐ Text☐ Reproduction of work of art☐ Jewelry design☐ Architectural work☒ Design on sheetlike material

NAME OF AUTHOR ▼

DATES OF BIRTH AND DEATH
Year Born ▼ Year Died ▼

Was this contribution to the work a

"work made for hire"?

☐ Yes
☐ No

AUTHOR'S NATIONALITY OR DOMICILE

Name of Country

OR { Citizen of ▼

OR { Domiciled in ▼

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK

Anonymous? ☐ Yes ☐ NoPseudonymous? ☐ Yes ☐ No

If the answer to either of these questions is "Yes," see detailed instructions.

NATURE OF AUTHORSHIP Check appropriate box(es) See Instructions

☐ 3-Dimensional sculpture☐ Map☐ Technical drawing☐ 2-Dimensional artwork☐ Photograph☐ Text☐ Reproduction of work of art☐ Jewelry design☐ Architectural work☐ Design on sheetlike material

3

a

YEAR IN WHICH CREATION OF THIS WORK WAS COMPLETED

2000

This information must be given in all cases.

DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK

Complete this information ONLY if this work has been published.

Month ▼

July

Day ▼

USA

Year ▼

2000

Nation ▼

4

COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2. ▼

Valibu Textiles, Inc.
49 West 37th Street
New York, NY 10018

APPLICATION RECEIVED

ONE DEPOSIT RECEIVED

TWO DEPOSITS RECEIVED

FUNDS RECEIVED

TRANSFER If the claimant(s) named here in space 4 is (are) different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright. ▼

MORE ON BACK ▶

Complete all applicable spaces (numbers 5 through 9) on reverse side of this page. See detailed instructions. Sign the form on line 9.

DO NOT WRITE HERE

Page 12 of 29

EXAMINED BY

CHECKED BY

FORM 1A

☐ CORRESPONDENCE

Yes

FOR
COPYRIGHT
OFFICE
USE
ONLY

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

PREVIOUS REGISTRATION Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?

☐ Yes ☒ No If your answer is "Yes," why is another registration being sought? (Check appropriate box.)a. ☐ This is the first published edition of a work previously registered in unpublished form.b. ☐ This is the first application submitted by this author as copyright claimant.c. ☐ This is a changed version of the work, as shown by space 6 on this application.

If your answer is "Yes," give Previous Registration Number

Year of Registration

DERIVATIVE WORK OR COMPILATION Complete both space 6a and 6b for a derivative work, complete only 6b for a compilation.

a. Preexisting Material Identify any preexisting work or works that this work is based on or incorporates.

b. Material Added to This Work Give a brief, general statement of the material that has been added to this work and in which copyright is claimed.

DEPOSIT ACCOUNT If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.

Name

Account Number

TEXTILE DISTRIBUTORS ASSOCIATION, INC.

DAO 19755

CORRESPONDENCE Give name and address to which correspondence about this application should be sent. Name/Address/Apt/City/State/ZIP

Textile Distributors Association, Inc.

104 West 40th Street

18th Floor

New York, NY 10018

Area code and daytime telephone number

212-869-6300

Fax number

212-869-2346

CERTIFICATION* I, the undersigned, hereby certify that I am the

check only one

☐ author☐ other copyright claimant☐ owner of exclusive right(s) Malibu Textiles, Inc.☒ authorized agent of

Name of author or other copyright claimant, or owner of exclusive right(s)

or the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.

Typed or printed name and date If this application gives a date of publication in space 3, do not sign and submit it before that date.

HELENA F. NEALON

Date

5/13/02

Handwritten signature (X)

Mail
certificate
to:Certificate
will be
mailed in
window
envelope

Name

TEXTILE DISTRIBUTORS ASSOCIATION, INC.

Number/Street/Apt

104 West 40th Street - 18th Floor

City/State/ZIP

New York, NY 10018

YOU MUST

- Complete all necessary spaces
- Sign your application in space 8

SEND ALL ELEMENTS
IN THE SAME PACKAGE:

- Application form
- Nonrefundable \$20 filing fee in check or money order payable to Register of Copyrights
- Deposit material

MAIL TO:

Register of Copyrights, Library of Congress
101 Independence Ave., S.E.
Washington, D.C. 20559-6000

*17 U.S.C. § 506(e). Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 408, or in any written statement filed in connection with the application, shall be fined not more than \$2,500.

April 1997-300-000

PRINTED ON RECYCLED PAPER

U.S. GOVERNMENT PRINTING OFFICE: 1997-417-752-010

EXHIBIT C

STYLE No.: 2479 COLOR: Black/Black YARDS:

DESCRIPTION: 75% Stretch Nylon/25%Rayon

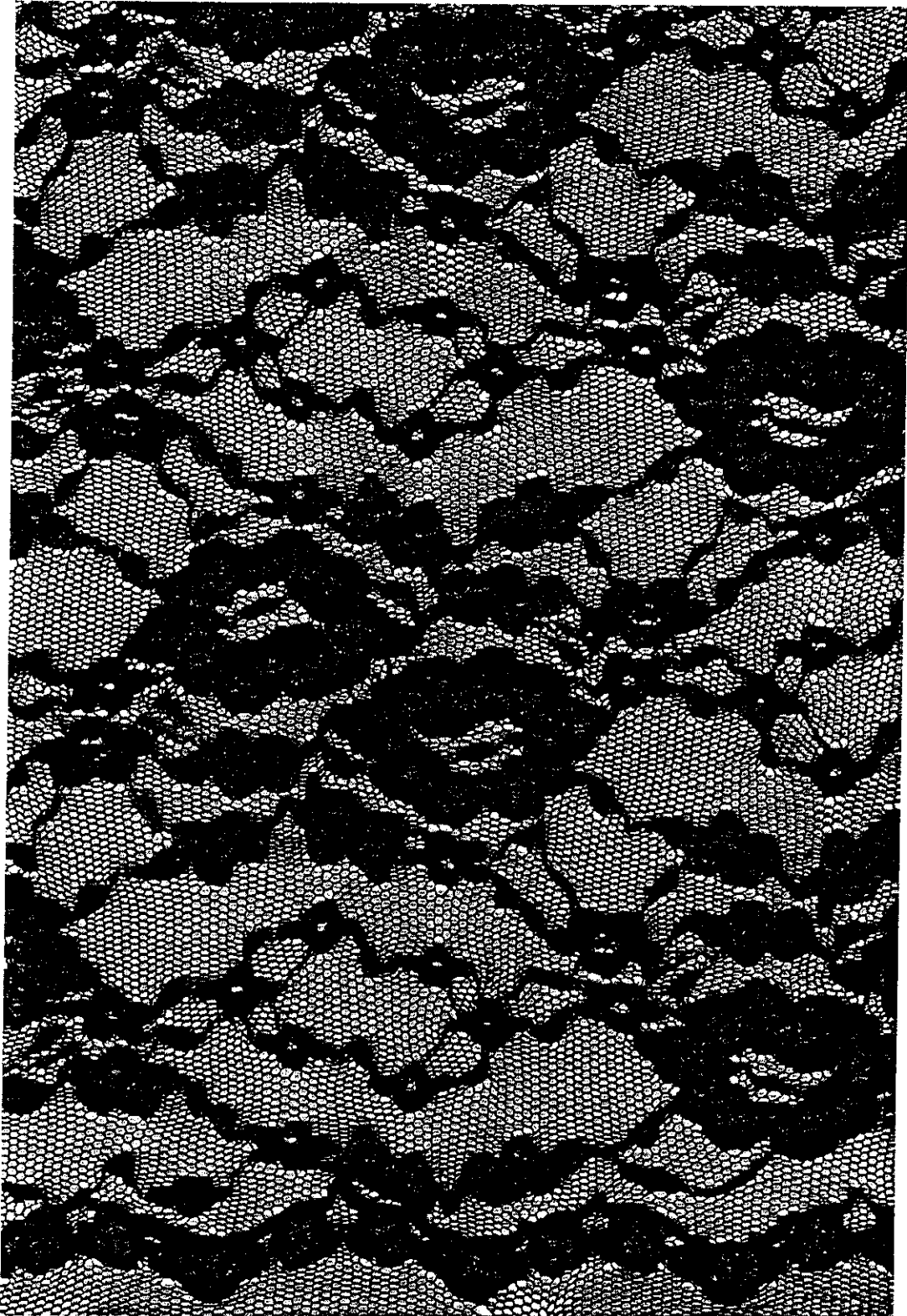


EXHIBIT D



This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Marybeth Peters
Register of Copyrights, United States of America

FORM VA
For a Work of the Visual Arts
UNITED STATES COPYRIGHT OFFICE

REG **VA 1-373-475**



EFFECTIVE DATE OF REGISTRATION

AUG 31 2006

STATE CONTINUATION SHEET.

1 TITLE OF THIS WORK ▼ 2351 NATURE OF THIS WORK ▼ See instructions LACE DESIGN

PREVIOUS OR ALTERNATIVE TITLES ▼

PUBLICATION AS A CONTRIBUTION If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared. Title of Collective Work ▼

If published in a periodical or serial give: Volume ▼ Number ▼ Issue Date ▼ On Pages ▼

2 a NAME OF AUTHOR ▼ MALIBU TEXTILES, INC. DATES OF BIRTH AND DEATH
Year Born ▼ Year Died ▼

Was this contribution to the work a "work made for hire"?
☒ Yes
☐ No

AUTHOR'S NATIONALITY OR DOMICILE
Name of Country
OR Citizen of ▼
Domiciled in ▼

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK?
Anonymously? ☐ Yes ☒ No
Pseudonymously? ☐ Yes ☒ No
If the answer to either of these questions is "Yes," see detailed instructions.

NOTE

Under the law, the "author" of a "work made for hire" is generally the employer, not the employee (see instructions). For any part of this work that was "made for hire," check "Yes" in the space provided, give the employer (or other person for whom the work was prepared) as "Author" of that part, and leave the space for dates of birth and death blank.

NATURE OF AUTHORSHIP Check appropriate box(es). See instructions.

- ☐ 3-Dimensional sculpture ☐ Map ☐ Technical drawing
☐ 2-Dimensional artwork ☐ Photograph ☐ Text
☐ Reproduction of work of art ☐ Jewelry design ☐ Architectural work
☐ Design on sheetlike material ☒ LACE DESIGN

b NAME OF AUTHOR ▼ DATES OF BIRTH AND DEATH
Year Born ▼ Year Died ▼

Was this contribution to the work a "work made for hire"?
☐ Yes
☐ No

AUTHOR'S NATIONALITY OR DOMICILE
Name of Country
OR Citizen of ▼
Domiciled in ▼

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK?
Anonymously? ☐ Yes ☐ No
Pseudonymously? ☐ Yes ☐ No
If the answer to either of these questions is "Yes," see detailed instructions.

NATURE OF AUTHORSHIP Check appropriate box(es). See instructions.

- ☐ 3-Dimensional sculpture ☐ Map ☐ Technical drawing
☐ 2-Dimensional artwork ☐ Photograph ☐ Text
☐ Reproduction of work of art ☐ Jewelry design ☐ Architectural work
☐ Design on sheetlike material

3 a YEAR IN WHICH CREATION OF THIS WORK WAS COMPLETED 2002 b DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK
Month NOV Day 12 Year 2002 Nation USA

4 COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2. MALIBU TEXTILES, INC.
49 WEST 37th STREET
NEW YORK, N.Y. 10018

TRANSFER If the claimant(s) named here in space 4 is (are) different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright. ▼

APPLICATION RECEIVED
AUG 31 2006
ONE DEPOSIT RECEIVED
TWO DEPOSITS RECEIVED
AUG 31 2006
FUNDS RECEIVED

MORE ON BACK ▶ ▶ Complete all applicable spaces (numbers 5-8) on the reverse side of this page.
▶ See detailed instructions. ▶ Sign the form at line 8.

DO NOT WRITE HERE
Page 1 of _____ pages

EXAMINED BY

MWH/LWS

FORM VA

CHECKED BY

☐ CORRESPONDENCE
Yes
FOR
COPYRIGHT
OFFICE
USE
ONLY

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

PREVIOUS REGISTRATION Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?

☐ Yes ☐ No If your answer is "Yes," why is another registration being sought? (Check appropriate box) ▼
a. ☐ This is the first published edition of a work previously registered in unpublished form.b. ☐ This is the first application submitted by this author as copyright claimant.c. ☐ This is a changed version of the work, as shown by space 6 on this application.

If your answer is "Yes," give: Previous Registration Number ▼

Year of Registration ▼

DERIVATIVE WORK OR COMPILATION Complete both space 6a and 6b for a derivative work; complete only 6b for a compilation.

a. Preexisting Material Identify any preexisting work or works that this work is based on or incorporates. ▼

b. Material Added to This Work Give a brief, general statement of the material that has been added to this work and in which copyright is claimed. ▼

DEPOSIT ACCOUNT If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.
Name ▼ Account Number ▼

CORRESPONDENCE Give name and address to which correspondence about this application should be sent. Name/Address/Apt/City/State/ZIP ▼

RICHARD SAMUELS

MALIBU TEXTILES, INC.

49 WEST 37TH STREET

NEW YORK, N.Y. 10018

Area Code and Telephone Number ▶ (212) 354-6707

CERTIFICATION* I, the undersigned, hereby certify that I am the
check only one ▼☐ author☐ other copyright claimant☒ owner of exclusive right(s)☐ authorized agent of

MALIBU TEXTILES, INC.

Name of author or other copyright claimant, or owner of exclusive right(s) ▲

of the work identified in this application and that the statements made
by me in this application are correct to the best of my knowledge.

Typed or printed name and date ▼ If this application gives a date of publication in space 3, do not sign and submit it before that date.

RICHARD SAMUELS

Date ▶ 8/31/2006

Handwritten signature (X) Mail
certificate
to:Certificate
will be
mailed in
window
envelope

Name ▼

MALIBU TEXTILES, INC.

Number/Street/Apt ▼

49 WEST 37TH STREET

City/State/ZIP ▼

NEW YORK, N.Y. 10018

YOU MUST:

- Complete all necessary spaces
- Sign your application in space 9

SEND ALL 5 ELEMENTS
IN THE SAME PACKAGE

1. Application form
2. Nonrefundable \$30 filing fee 945
3. Deposit material

MAIL TO

 Register of Copyrights
Library of Congress
Washington, D.C. 20540-0000

*17 U.S.C. § 506(e): Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 408, or in any written statement filed in connection with the application, shall be fined not more than \$2,500.

EXHIBIT E

8411113 050425
LOT
SIZE
1387
MED
427
1452
CREME CREME

C A B
CAbi
CAROL ANDERSON
by invitation



www.cabionline.com

EXHIBIT F


http://www.cabionline.com/SPRING07/flash_index.asp Malibu fabrics

Cabi - Carol Anderson by Invitation ...

Cabi

The Collection The Designer Career Opportunity Host a Show Purchase Consultant Entrance

Rodeo Days Regatta City Safari Sushi Date Bon Voyage Fiesta Shakespeare in the Park



275 Close x

460 Lace Tunic xs-xl \$88
 Stunning lace top with a luxurious satin tie will flatter every figure. The longer length will provide coverage where you need it, yet a hint of skin will show through the sheer lace.
 Content: 97% Nylon, 3% Spandex
 Care: Hand wash cold, dry flat, do not bleach, do not steam
 Colors: Caviar

530 Crossweave Tank xs-xl \$48
 In our signature silky rayon knit, we created a new skin-baring yet bra-friendly silhouette. The v-neck front and back create a vertical line that elongates your neck.
 Content: 93% Rayon, 7% Spandex
 Care: Turn garment inside out, machine wash cold gentle with like colors, dry flat, line dry if needed
 Colors: Frosting, Caviar, Turquoise ☐ ☐ ☐

893 Contemporary Jean D-16, Regular and Long \$89
 The much-loved fit of our Cabi Contemporary Jean remains the same. Slim through the legs with a small flare at the hem to balance out hips. Exclusive new pocket stitching detail precisely placed to offer the most flattering rear view.
 Content: 98% Cotton, 2% Spandex
 Care: Machine wash cold gentle, tumble dry low, no chlorine bleach, warm iron if needed
 Colors: Indigo, White ☐ ☐

< Previous Outfit Send to a Friend Next Outfit >

Copyright © 2007 Cabi LLC. All Rights Reserved.

Find: carol Match case

[The Collection](#)

[The Designer](#)

[Career Opportunity](#)

[Host a Show](#)

[Purchase](#)

[Co](#)

[Regatta](#)

[City Safari](#)

[Sushi Date](#)

[Bon Voyage](#)

[Fiesta](#)

[Shakespeare](#)



Copyright © 2007 CAbi

EXHIBIT G

http://www.cabionline.com/SPRING07/flash_index.asp


Cabi - Carol Anderson by Invitation ...

Malibu fabrics

Cabi

The Collection The Designer Career Opportunity Host a Show Purchase Consultant Entrance

Rodeo Days Regatta City Safari Sushi Date Bon Voyage Fiesta Shakespeare in the Park



4/5 [Close](#)

490 Lace Top xs-xl \$58
 This pretty lace v-neck top is one of our favorite silhouettes. The v-neck elongates the neckline, and the 3/4 sleeve shows the most flattering part of the arm. Fully lined except for the sleeves to show a touch of skin.
 Content: Shell - 97% Nylon, 3% Spandex, Lining - 100% Polyester
 Care: Hand wash cold, dry flat, do not bleach, do not steam
 Colors: Caviar

522 Pencil Capri 0-16 \$78
 The definitive look this season is a slim classic pant, and our Pencil Capri is just that pant. More classic than trendy, the clean lines and crisp cotton fabric are right for all body types. The key with a slim pant is to get the fit just right, and then you will look tres chic!
 Content: 98% Cotton, 2% Spandex
 Care: Machine wash cold gentle cycle, non-chlorine bleach, line dry warm iron if needed
 Colors: White

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2/3 Close



601 Lace Tank xs-xl \$56
 The pretty, stretch lace, scalloped-neckline top is beautiful in a delicate shade of frosting pink. The v-neck elongates and the empire waistline sits just at the bust line for an illusion of a longer torso. Fully-lined so there's no need to worry about what to wear underneath.
 Content: Self: 97% Nylon, 3% Spandex, Lining: 100% Polyester
 Care: Hand wash cold, dry flat, do not bleach, do not steam
 Colors: Frosting

491 Cropped Pant 0-16 \$78
 A style that has already proven to flatter everyone, our cropped pant is back by popular demand. Clean lines with back flap pockets and exaggerated side slits at ankle. Cotton/linen blend drapes beautifully with a touch of spandex for great fit.
 Content: 75% Cotton, 23% Linen, 2% Spandex
 Care: Dry clean only
 Colors: Caviar, Gray

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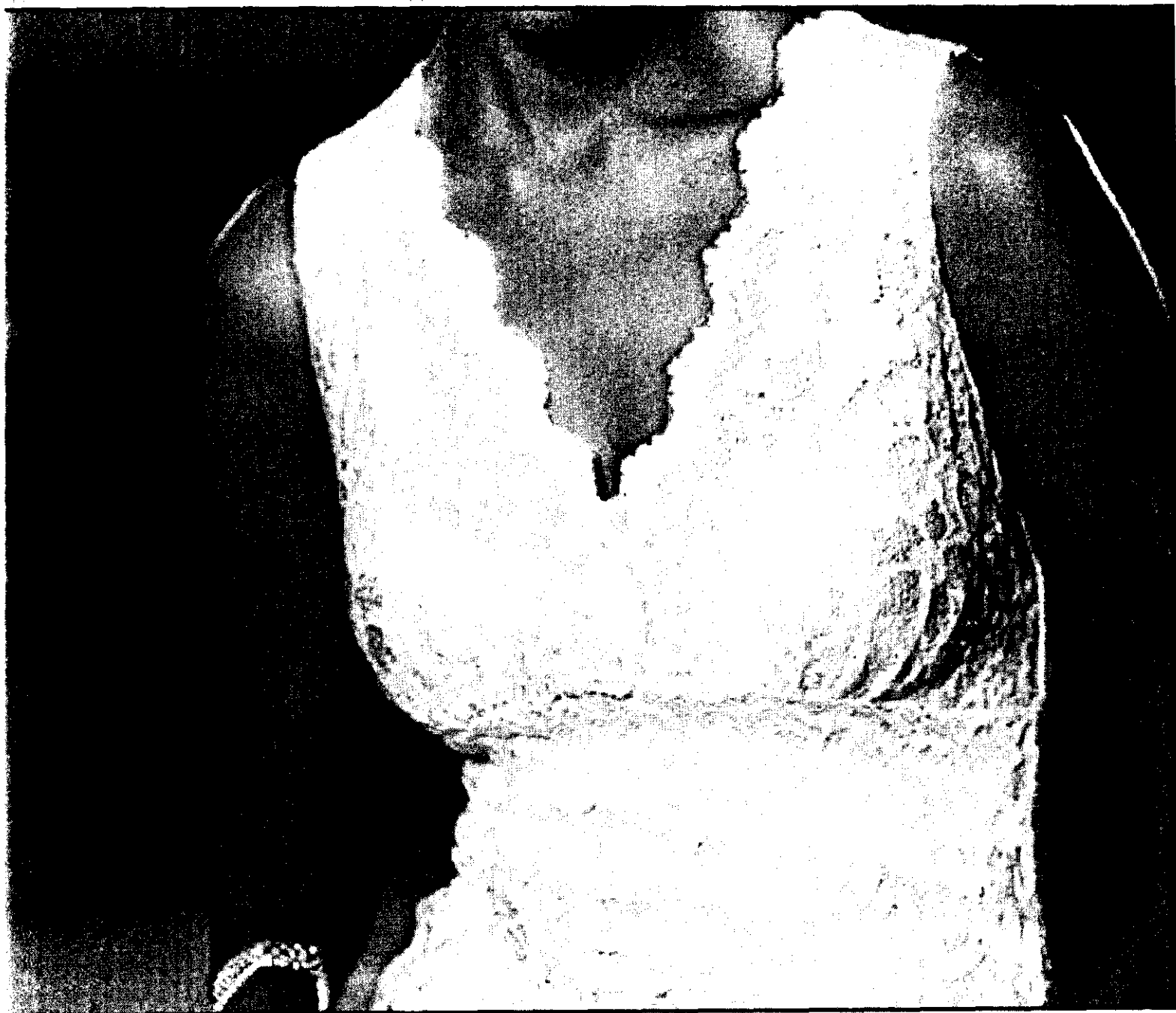
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